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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/846,358

05/02/2001

Yukihiko Nansho

01309.00012

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06/01/2005

BANNER & WITCOFF

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WASHINGTON, DC 20001

EXAMINER

THEIN, MARIA TERESA T

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/846,358

Applicant(s)

NANSHO, YUKIHIKO

Examiner

Marissa Thein

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on March 17, 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 17, 2005 has been entered.

***Response to Amendment***

Applicant's "Amendment" filed on March 17, 2005 has been considered.

Claims 9, 11, 13, and 15 are amended. Claims 9-16 remain pending in this application.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 9, 11, 13, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,953,707 to Huang et al.** Huang discloses a processing system, an output unit and output method comprising:

- receiving and storing information from a material supplier (supplier, component supplier) (Component Requirement Header, Component Supplier, Component Supply Contract, Component Supply Node, Appendix, pages 220-221) regarding

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- available material based on specification requirements and date of delivery of material, the specification requirements being presented by a manufacturer (production resource group) who supplies the commodity to the demander (customer) (Aggregate production plan data, Aggregate production plan header, Appendix A, pages 215-216; Production Requirement Data, Production Recruitments Header, Appendix, page 241) purchasing the commodity;
- storing and receiving information on available processing corresponding to the specification requirements and time of delivery of the processing (Inventory Data, Inventory Header, Inventory Node, Inventory Parameters, Appendix, pages 229-231);
  - inputting from the demander (customer) information on desired material (line item within the order) and desired processing for constructing elements constituting the commodity (customer orders; Appendix A, page 223), wherein the specification requirements are selected through a client computer by the demander (Figure 38, Demand Node, customer information product requirement; col. 12, lines 52-59); and
  - the outputting to the client computer information the available material and the available processing corresponding to the input information on the desired material and the desired processing (customer orders; appendix A, page 223) and general date of delivery of a commodity based on the date of delivery of the material and the time of delivery (Delivery Date, Date/time) of processing (Material Delivery Schedule Data and Header, Appendix A, pages 233-234).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 10, 12, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,953,707 to Huang et al. and in further view of the article "Earth-friendly good".** Huang substantially discloses the claimed invention, however, Huang does not explicitly disclose the thinned-out woods. However, the Huang discloses manufacturing finished goods produced from raw materials (col. 6, lines 15-19). Huang does not disclose that his raw material is specifically is thinned-out wood. The article "Earth-friendly good" teaches the raw material is thinned-out wood so as to use for the manufacture of high-quality furniture and as an effective way of forest management. (See whole article)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the processing system, the output unit and output method of Huang, to include the thinned-out woods, as taught by the article, in order to provide an effective way of managing a forest, so as to provide high-quality furniture from raw materials, such as thinned-out woods or lumber (article).

***Response to Arguments***

Applicant's arguments filed March 17, 2005 have been fully considered but they are not persuasive.

Applicant's remark that "In Huang, the system user does not include the 'demander' who purchases and uses end products.....There appears to be no opportunity for the demander of the commodity to input data on desired material or processing which affects the quality of the end products.....the demander has no input on the materials and processing to make the product".

The Examiner notes that Huang discloses a Demand Node where the customer information product requirements are characterized (Figure 38). Furthermore, Huang discloses Demand Management 81 where the process by which the customer's requirements are characterized with the specification of prevailing uncertainty (col. 12, lines 51-54). The process involves the development and maintenance of customer forecasts (col. 12, lines 54-56). These forecasts are initially developed in periodic joint meetings or communications between the decision makers of the enterprise and the customers (col. 12, lines 56-58). Moreover, Huang discloses Demand Review 144, which consolidates demand information received directly from the customer (col. 18, lines 53-55).

Such customer product requirements which are developed in joint communication with the customers and the decision makers; and the demand information received directly from the customer are considered the demander of the commodity having input on desired material or processing which affects the quality of the end products. Therefore, Huang does disclose each element of the invention.

Applicant's remark that "Huang does not teach or suggest the reasoned discussed above".

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The Examiner directs Applicant's attention to the Examiner's response above.

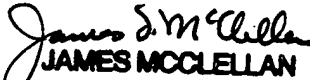
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 571-272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mtot  
May 27, 2005

  
**JAMES MCCLELLAN**  
**PRIMARY EXAMINER**